

**BOARD OF PAROLE HEARINGS
Best Practices Advisory Committee Meeting
Monday, May 20, 2013**

Meeting called to order at 1:45 p.m.

Roll Call: Commissioners Ferguson, Labahn, Peck, Fritz (chairperson): present. Commissioner Zarrinam: absent.

CONSENT CALENDAR

Comments and Clarification Regarding Best Practices Advisory Committee Meeting Minutes of February 19, 2013: None.

Comments and Clarification Regarding Best Practices Advisory Committee Meeting Minutes of March 18, 2013: None.

Public Comment on Consent Calendar: None.

Commissioner PECK moved to approve the consent calendar and was seconded by Commissioner FERGUSON. The motion was carried unanimously.

REPORTS AND PRESENTATIONS

Report from Executive Officer, Jennifer Shaffer: None.

Report from Chief Counsel, Howard Moseley:

MOSELEY stated that the cases of *Rosenkrantz*, *Dannenberg*, *Lawrence*, *Shaputis*, *Prather*, *Swarthout* and *Shaputis II* have been briefed for inclusion in the Case Compendium. MOSELEY emphasized that the briefings are confidential and are intended as a reference guide for commissioners. In response to a question from FRITZ, he confirmed that *Vicks* will also be briefed and included in the Compendium.

MOSELEY invited the committee to indicate the priority to be assigned to the following proposed administrative directives: (i) discovery obligations for lifer hearings; (ii) ex-parte communications; (iii) attorney prompting during panel questioning; (iv) scope of prosecutor's clarification questions and inmate counsel's clarification questions (v) application of the 10 day rule; (vi) calculating terms of confinement for conspiracy convictions; (vii) calculating post-conviction credits at progress hearings; (viii) procedures for telephonic and video participation at suitability hearings.

MOSELEY observed that the committee's comments and suggestions indicated that directive (viii) should be given a high priority. The Legal Division would aim to present the directive at the next meeting of the committee. MOSELEY concluded that the committee wished directives (iii) and (iv) to be combined.

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The committee discussed other subjects for administrative directives. FERGUSON recommended that the role of counsel for victims' families should be addressed. FRITZ suggested directives on the great weight standard in intimate partner battering cases and on conditional grants. She requested clarification of the procedures used in imposing administrative rules violations and serious rules violations. FRITZ stated that a directive might assist with methods of explaining hearing rights to inmates.

MOSELEY stated that the issue of intimate partner battering would be addressed by the directive to be considered at today's meeting. Vicks has clarified the position regarding conditional grants and there has been training on the subject.

FRITZ said that the goal is to get administrative directives and the bench guide completed and put online.

MOSELEY described the purpose and implementation of the Transcript Analysis Program. The committee discussed possible modifications to the program, including: providing commissioners with written suggestions following observation of their hearings; expanding the range of hearings to be observed; observing new commissioners every three months; providing commissioners with audio CDs of their observed hearings.

MOSELEY welcomed the committee's suggestions and indicated that the Transcript Analysis Program memorandum would be updated.

Report from Chairperson, Commissioner Cynthia Fritz:

FRITZ stated that the Proposed Hearing Guidelines will be included in the Bench Guide after review by the Legal Division. It is intended to make the Guide available online. The Mini-manual Project has been completed. FRITZ reviewed the progress made in achieving the committee's goals. The respective roles of commissioners and deputy commissioners have been clarified; the Bench Guide will be completed by the December training conference; clarification of administrative directives has been completed; with the exception of Vicks, the case compendium has been completed; the committee continues to welcome comments and suggestions from its stakeholders.

The committee discussed possible goals for 2014, including: conducting mock hearings during the training of new commissioners; effective identification of hearing issues; timing of documentation hearings.

SHAFFER stated that abbreviated mock hearings have been reinstated as part of new commissioners' training.

MOSELEY stated that there is a statutory requirement to hold documentation hearings.

SHAFFER informed the committee that legislative changes have been discussed regarding the timing of documentation hearings.

DISCUSSION ITEMS

Victim Impact Statements, presented by Susie Booth, Graduate Legal Assistant

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Following questions and comments by the committee and members of the public, the presentation was tabled to the next committee meeting.

Guidance on Handling Intimate Partner Battering Information at Parole Suitability Hearings, presented by Mina Choi, Staff Attorney

CHOI presented Administrative Directive 2013-04, addressing panels' assessment of information, attachment of weight to information, evaluation of inmates' insight and recording of findings.

Board Questions and Comments: None.

Public Comments: None.

Commissioner PECK moved to forward the directive to the recessed executive meeting on May 21, 2013, with a recommendation for its adoption. Commissioner LABAHN seconded the motion, which was carried unanimously.

OPEN COMMENTS

BPH Commissioners - Agenda Items for Future Meetings: None.

Open Comment: None.

The meeting was adjourned at 3:40 p.m.

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